

**UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF NORTH CAROLINA
EASTERN DIVISION**

RAHEEMA MOORE, : Case No.
Plaintiff, :
v. :
: :
GC SERVICES LIMITED PARTNERSHIP, :
Defendant. : :

VERIFIED COMPLAINT

RAHEEMA MOORE (Plaintiff), by her attorneys, KROHN & MOSS, LTD., alleges the following against GC SERVICES LIMITED PARTNERSHIP, (Defendant):

INTRODUCTION

1. Plaintiff's Complaint is based on the Fair Debt Collection Practices Act (FDCPA), 15 U.S.C. 1692, *et seq.*

JURISDICTION AND VENUE

2. Jurisdiction of this court arises pursuant to 15 U.S.C. 1692k(d), which states that such actions may be brought and heard before "any appropriate United States district court without regard to the amount in controversy."
3. Because Defendant conducts business in North Carolina, personal jurisdiction is established.
4. Venue is proper pursuant to 28 U.S.C. 1331(b)(2).

PARTIES

5. Plaintiff is a natural person residing in Farmville, Pitt County, North Carolina.
6. Defendant is a debt collector as that term is defined by 15 U.S.C. 1692a(6), and sought to collect a consumer debt from Plaintiff.
7. Defendant is a collection agency with a business office in Houston, Texas.
8. Defendant is a collection agency that in the ordinary course of business, regularly, on behalf of itself or others, engages in debt collection.

FACTUAL ALLEGATIONS

9. Beginning October 2011, Defendant began constantly and continuously placing collection calls to Plaintiff seeking and demanding payment for an alleged debt originally owed on a credit card for approximately \$400.
10. Defendant calls Plaintiff from 800-788-1652 on her cellular telephone at 252-258-2059.
11. Plaintiff explained at the outset of the calls that she was unemployed and cannot pay Defendant. Nevertheless, Defendant continues to call Plaintiff on a virtual daily basis.
12. On October 20, 2011, Defendant called Plaintiff 64 times.
13. On other occasions, Defendant has hung up Plaintiff when she tried to explain her financial situation and inability to pay. In addition, Defendant has told Plaintiff to pawn her personal property to pay Defendant.

COUNT I DEFENDANT VIOLATED THE FAIR DEBT COLLECTION PRACTICES ACT

14. Defendant violated the FDCPA based on the following:

- a. Defendant violated §1692d of the FDCPA by engaging in conduct that the natural consequences of which is to harass, oppress, and abuse Plaintiff in connection with the collection of an alleged debt;
- b. Defendant violated §1692d(5) of the FDCPA by causing Plaintiff's phone to repeatedly ring and repeatedly engage Plaintiff in conversation;

Wherefore, Plaintiff, RAHEEMA MOORE, respectfully requests judgment be entered against Defendant, GC SERVICES LIMITED PARTNERSHIP, , for the following:

15. Statutory damages of \$1,000.00 pursuant to the Fair Debt Collection Practices Act, 15 U.S.C. 1692k,
16. Costs and reasonable attorneys' fees pursuant to the Fair Debt Collection Practices Act, 15 U.S.C. 1692k, and
17. Any other relief that this Honorable Court deems appropriate.

DEMAND FOR JURY TRIAL

Please take notice that Plaintiff, RAHEEMA MOORE, demands a jury trial in this cause of action.

Dated: November 21, 2011

RESPECTFULLY SUBMITTED,

By: /s/ Christopher D. Lane

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VERIFICATION OF COMPLAINT AND CERTIFICATION

STATE OF NORTH CAROLINA

Plaintiff, RAHEEMA MOORE, states the following:

1. I am the Plaintiff in this civil proceeding.
2. I have read the above-entitled civil Complaint prepared by my attorneys and I believe that all of the facts contained in it are true, to the best of my knowledge, information and belief formed after reasonable inquiry.
3. I believe that this civil Complaint is well grounded in fact and warranted by existing law or by a good faith argument for the extension, modification or reversal of existing law.
4. I believe that this civil Complaint is not interposed for any improper purpose, such as to harass any Defendant(s), cause unnecessary delay to any Defendant(s), or create a needless increase in the cost of litigation to any Defendant(s), named in the Complaint.
5. I have filed this Complaint in good faith and solely for the purposes set forth in it.

Pursuant to 28 U.S.C. § 1746(2), I, RAHEEMA MOORE, hereby declare (or certify, verify or state) under penalty of perjury that the foregoing is true and correct.

11/4/11
Date

Raheema O. Moore
RAHEEMA MOORE